

Big Cypress National Preserve Oil and Gas Operations Background

In 1974, Congress set aside about 45 percent of the Big Cypress Swamp in south Florida as a National Preserve for the purpose of ensuring “the preservation, conservation, and protection of the natural, scenic, hydrologic, floral and faunal, and recreational values of the Big Cypress Watershed in the State of Florida and to provide for the enhancement and public enjoyment thereof”. Expanded in 1988, the Preserve totals 729,000 acres. Its wild country is protected, but certain pre-existing human uses that are not allowed in most National Park areas are permitted here, including oil and gas exploration. Congress further directed the NPS to not acquire the mineral estate without consent of the owner, unless use of the particular mineral estate is determined to be detrimental to the purposes of the Preserve. Private entities and the State of Florida own all of the oil and gas resources in the Preserve.

South Florida has been the site of oil and gas development since 1930. The first production well was drilled in 1943, immediately northwest of the Preserve on the Sunniland Trend, a productive oil and gas area that crosses the northern part of the Preserve. Subsequent discoveries have followed a northwest-southeast orientation along the northern and eastern boundaries of the Preserve, terminating at the northern boundary of Everglades National Park. Bear Island and Raccoon Point are the producing oil fields in the Preserve. The relatively recent discoveries of oil and gas, both within and adjacent to the Preserve, have prompted additional interest in the area, including geophysical surveys and exploratory drilling.

When access to explore or develop nonfederal minerals is on, through, or across federally owned or controlled lands or waters, the mineral developer must comply with NPS regulations found at Title 36, Code of Federal Regulations, Part 9, Subpart B (36 CFR 9B) along with other legal requirements and the provisions of the current Minerals Management Plan. The 36 CFR regulations provide a framework on how nonfederal oil and gas operations will be conducted. This framework is supplemented with specific operating stipulations for the conduct of oil and gas operations in the Preserve, which are currently being updated during this planning effort. In addition, the Florida - Arizona Land Exchange Agreement that effected the 1988 expansion of the Preserve also carried with it specific provisions for conducting oil and gas operations in parts of the Addition lands. An approved Plan of Operations serves as a permit from the National Park Service to conduct oil and gas operations within the Preserve.

Dear Friends:

The National Park Service (NPS) is preparing an Oil and Gas Management Plan/Environmental Impact Statement (O&GMP/EIS) for Big Cypress National Preserve, located within Collier, Monroe, and Miami-Dade Counties, Florida. The purpose of the O&GMP/EIS is to establish guidance for managing the exploration and production of nonfederal oil and gas underlying the Preserve. This planning effort is necessary to assist the Preserve in protecting, to the greatest extent feasible, natural and cultural resources, visitor use and experience, and human health and safety, while still recognizing the rights associated with nonfederal oil and gas property interests.

Please note that the Preserve is currently preparing a General Management Plan and Environmental Impact Statement for the lands that were added to the Preserve in 1988, known as the Addition lands. This document will provide guidance for park management, resource protection, appropriate visitor activities and levels of use for specific sites, and appropriate facility development specifically for the Addition lands. The Oil and Gas Management Plan/Environmental Impact Statement will describe in specific detail how oil and gas operations will be managed in the entire Preserve. The planning process for the Addition lands will include a separate public participation process.

The involvement of interested organizations and citizens is essential in preparing a complete O&GMP/EIS. This newsletter provides information on the planning process and schedule and how you can be involved. Our planning process will succeed only with your input. I invite your participation in the planning process by attendance at the public scoping meetings outlined in this newsletter and by your written comments. I look forward to working together on this important project to protect and preserve the unique resources of Big Cypress National Preserve.

Sincerely,

John J. Donahue
Superintendent

Public Open House Meeting Information

July 11, 2001
Florida International University
Graham Center Ballroom West
11200 SW 8th Street
Miami, Florida 33199
3:30 to 7:30 PM

July 12, 2001
The Conservancy of Southwest Florida
1450 Merihue Drive
Naples, Florida 33440
3:30 to 7:30 PM

The National Park Service Wants Your Participation

Your input is extremely important in achieving a viable plan that will keep Big Cypress National Preserve a special place. For more information on the Preserve and the project, we encourage you to attend one of the Public Open Houses. These meetings will be conducted in an open house format and provide the public an opportunity to speak directly with the members of the planning team. Prepared presentations by the planning team or other interested individuals will not be a part of the program at this meeting. You can also participate by submitting your comments or suggestions by mail or e-mail. Comments should be received no later than July 27, 2001.

Due to public disclosure requirements, the National Park Service, if requested, is required to make the names and addresses of commenters public. However, individual respondents may request that this information not be released. The National Park Service will then determine whether the information can be withheld under the Freedom of Information Act, and we will honor your request to the extent allowed by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. We will make all submissions from organizations or businesses and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

Oil and Gas Management Plan/Environmental Impact Statement

The O&GMP will supercede the current Minerals Management Plan. The new plan is needed to address the 147,280 acres added to the Preserve in 1988, as well as new technologies, regulations, NPS policies and orders, and scientific information that have come about in the past few years. It will also provide consistency with NPS oil and gas management plans recently prepared for other park units. The Environmental Impact Statement (EIS), in compliance with the National Environmental Policy Act of 1969, will provide the decision-making framework in which significant issues and concerns will be identified, a reasonable range of management alternatives and their effects will be presented and analyzed, and a direction for long-term management of oil and gas operations in the Preserve will be determined.

The National Park Service is responsible for conserving resources and values of national park system units, while providing for their enjoyment by the public in a manner that will leave them unimpaired for future generations. Resources and values include all tangible and intangible attributes for which a park had been established and is being managed. The manner in which mineral owners and operators explore for, develop, and transport nonfederal oil and gas in the Preserve must be in compliance with legal and policy requirements that safeguard park resources and values.

The following framework has been developed by the NPS planning team during internal scoping for this Plan/EIS and includes preliminary planning goals, objectives, resources and values, special management areas and concerns, and alternative concepts that will be analyzed during this planning effort. The framework is intended to provide you with enough information in which you may bring other ideas, comments, suggestions, and management strategies to the decision-making process. The alternatives and other information presented are only a starting point for discussion.

Oil and Gas Management Plan Goals

1. Permit reasonable access for exploration and production of nonfederal oil and gas resources.
2. Preserve, conserve, and protect natural and cultural resources and recreational values.
3. Clearly communicate to the public how oil and gas will be managed in Big Cypress National Preserve.

4. Be consistent with tribal use rights.
5. Protect human health, welfare, and safety.
6. Ensure nonfederal oil & gas use rights do not infringe or compromise other use rights, such as property rights.
7. Ensure that management decisions will not adversely affect the South Florida Ecosystem.

Planning Objectives

1. Identify those park resources and values that are most sensitive to oil and gas exploration and development disturbance, and define impact mitigation requirements to protect such resources and values.
2. Establish reasonable oil and gas exploration and development performance standards to protect park resources and values.
3. Provide pertinent information to oil and gas operators that will facilitate operations planning and compliance with NPS regulations.

Resources that Could be Affected by Oil and Gas Operations, or Topics that Could be Affected by Implementation of the Oil and Gas Management Plan

1. scenic highway, Florida Trail, canoe trails, campgrounds, Fire Prairie Trail, Concho Billy Trail, Tree Snail Hammock Nature Trail, US 41 and Loop Road, night sky, Oasis Visitor Center, Loop Road Education Center, Rt. 29, US 41 Welcome Station, ORV trails, incidental business permit holders, hunting, fishing, trapping, frogging, wildlife viewing
2. Cultural Resources - Historic structures, National Register Sites, National Landmarks, archeological sites, historical and cultural landscapes, World Heritage sites, ethnographic landscapes, cemeteries
3. Wetlands
4. Floodplains - 100-year, 500-year and extreme floodplains
5. Threatened & Endangered Species and Habitat
6. Human Health and Safety - Oil and gas operations, visitor access/safety, park employee safety, hazardous substances exposure
7. Socioeconomics - Environmental justice, oil and gas operations, mineral owners, local and regional economy, costs to preserve, manage oil and gas, adjacent landowners, grazing leases, incidental permit owners, perceived effects on quality of life, criminal activities/law enforcement, Indian gift shops, private property owners, ceremonial sites
8. Sacred Sites - Native American sacred sites, routes and access, administration permits, consultation with tribes
9. Indian Trust Resources - Use rights granted by Congress
10. Air Quality - Air emissions (volatile organic compounds, nitrogen oxides, particulate matter, sulfur dioxide), ambient air quality impacts, Dade County maintenance plan and conformity determination, impacts on air quality-related values, including visibility at Class I Everglades National Park and Big Cypress National Preserve, State regulations, New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants.
11. Vegetation - Cypress domes, cypress stands, mixed hardwood swamps, hardwood hammocks, pinelands, cypress prairies, marshes, prairies, sloughs, mangrove forests, exotic plants, periphyton, phytoplankton
12. Wildlife - Birds, mammals, amphibians, reptiles, fish, zooplankton, mollusks and crustaceans, macroinvertebrates, exotic species
13. Water Resources - Surface water, groundwater, water quality, water flow, water rights
14. Geology and Soils - Prime/unique farmland, landforms, sediments, karst formations (Deep Lake, Mud Lake, Tarpon Lake), sinkholes, uplands, hydric soils, paleontology
15. Preserve Operations - Fire management operations, cost to Preserve for oil and gas management, law enforcement, relationship with other land use policies, scientific research monitoring areas.

Preliminary List of Special Management Areas (SMA) and Special Management Concerns (SMC): Resources or concerns that warrant additional consideration for protection because of their environmental value or sensitivity.

SMA's:

Cypress stands/hardwood swamps and sloughs and domes
 Marshes
 Hardwood hammocks
 Old growth pinelands
 Mangrove forests
 Indian cultural sites
 Archeological sites
 Visitor areas
 Indian villages
 Research and monitoring sites

SMCs:

Ceremonial sites

Florida Panther

Red Cockaded Woodpecker colonies

Cape S. Seaside Sparrow

Bald Eagle

Preliminary Range of Alternatives

Alternative A, No Action: Preserve-wide implementation of current legal and policy requirements, which includes the current (1992) General Management Plan/Minerals Management Plan/EIS and Appendix 6 Regulations.

Alternative B: Includes the formal designation and applications of resource-specific protection measures for Special Management Areas and Special Management Concerns. In all other areas of the Preserve, surface access for nonfederal oil and gas could be allowed under current legal and policy requirements.

Alternative C: Surface use is prohibited in all Special Management Areas, but directional drilling may be permitted. In all other areas of the Preserve, surface access for nonfederal oil and gas could be allowed under current legal and policy requirements and Special Management Concerns performance standards.

Alternative D: Federal acquisition with appropriate compensation of all private mineral rights in the Preserve.

Comment Form

The National Park Service is interested in receiving your comments on the overall goals of the Oil and Gas Management Plan/EIS and the planning objectives that will be used to develop alternative management strategies. You can use the following comment form (with additional sheets as necessary) or write a letter to John J. Donahue, Superintendent, Big Cypress National Preserve, HCR 61, Box 110, Ochopee, Florida, 34141, or email the Preserve's coordinator for this planning project at Susan_Kaynor@nps.gov. Comments must be received no later than July 27, 2001.

1. Do you agree with the goals and objectives of this Plan/EIS? If not, how should they be changed?
2. Has the planning team adequately covered the resources and values that could be affected by oil and gas operations in the Preserve? Are there any additional resources and values that should be covered in this Plan/EIS?
3. Does the list of Special Management Areas and Special Management Concerns include all of the resources and concerns that should be included in this Plan/EIS? If not, what else should be added?
4. What are your suggestions for reasonable alternative management strategies that would meet the stated goals and objectives of this Plan/EIS?